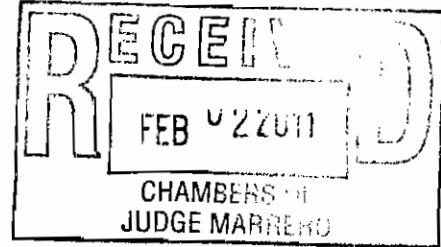


Greenberg Traurig



James W. Perkins, Esq.
(212) 801-3188
perkinsj@gtlaw.com

February 1, 2011

BY HAND DELIVERY

Judge Victor Marrero
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Suite 660
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/2/11

Re: *Hausler v. The Republic of Cuba, et al.*
09 Civ. 10289

Dear Judge Marrero:

We are counsel to Jeanette Hausler, the Petitioner in the above-captioned judgment enforcement proceeding. We write the Court to request that it grant an additional extension of the levies of two writs of execution that were issued as part of the Petitioner's enforcement efforts.¹ Copies of the two writs of execution are attached hereto as Exhibits A and B, and are referred to herein as "Writ A" and "Writ B."

The first levy concerns service of Writ A on certain financial institutions, which levy occurred on or around March 27, 2009. On July 30, 2010, the Court granted the most recent extension of the levy for an additional 180 days, until February 21, 2011. A copy of the Court's endorsed order granting the extension is attached hereto as Exhibit C.

The second levy concerns service of Writ B on August 31, 2010, on other specified financial institutions. Petitioner requests an extension of the levy of Writ B for 180 days from the date it grants such relief (should the Court so determine). *See Kitson & Kitson v. City of Yonkers*, 10 A.D.3d 21 (2d Dep't 2004)(court may extend levy *nunc pro tunc*).

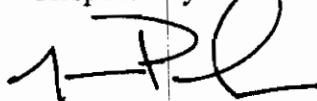
¹ Under New York law (as applied through Federal Rule of Civil Procedure 69), a levy is valid for ninety days from the service of the execution, and will remain effective thereafter if the creditor has either filed a turnover petition within such time or the Court grants an extension of the levy. CPLR 5232(a).

As the Court is aware, Petitioner has filed four petitions concerning JP Morgan Chase Bank, N.A.; Citibank, N.A.; Bank of America, National Association; ABN AMRO (now Royal Bank of Scotland N.V.); and National Bank of Canada seeking turnover of discrete accounts identified on schedules attached to the respective petitions. Although the filing of these petitions preserves the levy of Writs A and B as to the accounts for which Petitioner seeks turnover (see CPLR 5232(a)), the petitions do not include relief on all of the accounts subject to levy. Petitioner intends to file an additional turnover petition or petitions, but is not yet in a position to do so, as we continue to work to identify the accounts for which turnover is appropriate.

Accordingly, Petitioner respectfully requests that the Court grant a 180-day extension of the levies covering the accounts which are not yet the subject of a turnover petition, but which are held by the Banks listed in Writs A and B.

Should the Court have any questions, I may be contacted at (212) 801-3188.

Respectfully submitted,



James W. Perkins

Enclosures

cc: James L. Kerr, Esq. (by e-mail; w/ encl.)
Frank Panopoulos, Esq. (by e-mail; w/ encl.)

<i>Request GRANTED. The time for plaintiff's levies of the two writs of execution referred to above as "writs A and B" is extended for an additional 180 days to or on about 8-22-11.</i>	
SO ORDERED:	
2-2-11	
DATE	VICTOR MARRERO, U.S.D.J.

Exh. A

United States District Court
SOUTHERN DISTRICT OF NEW YORK

JUDGMENT NO. 08, 1700

DOCKET NO. 18 MS 302

THE PRESIDENT OF THE UNITED STATES OF AMERICA
To the Marshal of the Southern District of New York, GREETING:

(*) YOU ARE COMMANDED, that of the goods and chattels of THE REPUBLIC OF CUBA (INCLUDING ITS AGENCIES AND INSTRUMENTALITIES), FIDEL CASTRO RUZ, RAUL CASTRO RUZ, THE CUBAN REVOLUTIONARY ARMED FORCES

which lately in the United States District Court of the United States for the Southern District of New York, in the Second Circuit, JEANNETTE HAUSLER AS SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT OTIS FULLER, ET. AL., recovered against the said THE REPUBLIC OF CUBA (INCLUDING ITS AGENCIES AND INSTRUMENTALITIES), FIDEL CASTRO RUZ, RAUL CASTRO RUZ, THE CUBAN REVOLUTIONARY ARMED FORCES

in an action between JEANNETTE HAUSLER, ET. AL.

PLAINTIFF and THE REPUBLIC OF CUBA, ET. AL. _____

DEFENDANT, in favor of said PLAINTIFFS _____

as appears by the record filed in the Clerk's Office of said District Court on the 24 day
of SEPTEMBER, in the year of 2008

and if sufficient personal property of the said judgment debtor cannot be found in your District, that then you cause the same to be made out of the real property belonging to such judgment debtor on the above-mentioned day, or at any time thereafter, in whose hands soever the same may be, and return this execution within sixty days after its receipt by you, to the Clerk of said District Court.

WITNESS, the Honorable Kimba M. Wood, Chief Judge of the United States District Court, for the Southern District of New York, at the City of New York, on the 6th day of November in the year of our Lord 2009, and of the Independence of the United States the two hundred twenty-seventh year.

(year)

J. MICHAEL McMAHON

(*) SEE SCHEDULE "A" ATTACHED

SCHEDULE A

The foregoing writ is to be levied in accordance with section 201 of the Terrorism Risk Insurance Act of 2002, Pub. L. No. 107-297, 116 Stat. 2337, codified at 28 U.S.C. § 1610 note, against any property of the Republic of Cuba and/or its agencies or instrumentalities, *i.e.*, any property (whether real or personal, tangible or intangible, including but not limited to cash, coins, bullion, deposits, accounts, real property, instruments, securities, security entitlements, security accounts, equity interests, claims and contractual rights, and/or interests of any kind in the foregoing) held, maintained, or in the possession or control of the banks listed below* that is blocked pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)) and the Cuban Assets Control Regulations, 31 C.F.R. §§ 515.201 *et seq.*; and which is not held or maintained in the name of any individual Cuban person, whether living or dead, unless that person is either Fidel or Raul Castro.

The Amended Final Default Judgment Granting Full Faith and Credit to State Judgment, registered in this Court, is in the amount of \$400,000,000.00, comprised of \$100,000,000.00 in compensatory damages and \$300,000,000.00 in punitive damages, plus interest. One million dollars in compensatory damages has already been paid against the Judgment.

The amount to be levied and collected is limited to compensatory damages in the amount of \$99,000,000.00, plus accrued interest.

***Banks holding “blocked” property:**

- Bank of America, 9 West 57th Street, New York, New York, 10019
- Citibank, 399 Park Avenue, New York, New York, 10022
- HSBC Bank, 452 Fifth Avenue, New York, New York, 10018
- JP Morgan Chase, 270 Park Avenue, New York, New York, 10017

- Federal Reserve Bank of New York, 33 Liberty Street, New York, New York, 10045
- Keybank, 11 E 22nd St, New York, New York, 10010
- PNC Bank, 345 Park Avenue, Suite 1202, New York, New York, 10154
- US Bank, 461 Fifth Avenue, New York, New York, 10017
- Wachovia, 1133 Avenue of the Americas, New York, New York, 10036-6710
- Wells Fargo, 45 Broadway, Suite 1203, New York, New York, 10006-3798
- Abn Amro, 55 East 52nd Street, New York, New York, 10055
- Banco Bilbao Vizcaya Argentaria, 1345 Avenue Of The Americas, New York, New York 10105
- Banco Industrial de Venezuela, 900 Third Avenue, New York, New York, 10022-4794
- Deutsche Bank, 280 Park Avenue, New York, New York, 10017
- UBS Bank, 299 Park Avenue, New York, New York, 10017
- Bank of Montreal, 3 Times Square Plaza, New York, New York, 10036
- The Bank of Nova Scotia, 1 Liberty Plaza, 165 Broadway, New York, New York, 10006
- National Bank of Canada, 65 East 55th Street, New York, New York, 10019
- Royal Bank of Canada, 1 Liberty Plaza, New York, New York, 10006
- The Toronto Dominion Bank, 31 West 52nd Street, New York, New York, 10019
- Banco Espanol de Credito SA, 730 Fifth Avenue, New York, New York, 10019
- Banco Santander, SA, 45 East 53rd Street, New York, New York, 10022
- Banco Latinoamericano de Exportaciones, S.A., 600 Lexington Avenue, New York, New York, 10022

United States District Court
SOUTHERN DISTRICT OF NEW YORK

Eh. B

JUDGMENT NO. 08, 1700

DOCKET NO. 09-Cv-10289 (VM)

M18-302

THE PRESIDENT OF THE UNITED STATES OF AMERICA
To the Marshal of the Southern District of New York. GREETING:

(*) YOU ARE COMMANDED, that of the goods and chattels of The Republic of Cuba (including its agencies and instrumentalities), Fidel Casto Ruz, Raul Castro Ruz, and the Cuban Revolutionary Armed Forces.

in your district you cause to be made the sum of ninety nine million plus accrued interest

ninety nine million plus accrued interest

dollars and 0 cents, (\$ 99,000,000 plus)
interest.

which lately in the United States District Court of the United States for the Southern District of New York, in the Second Circuit Jeannette Hausler, as successor personal representative of the estate of Robert Otis Fuller, et. al.

recovered against the said _____ The Republic of Cuba (including its agencies and instrumentalities), Fidel Castro Ruz, Raul Castro Ruz, and the Cuban Revolutionary Armed Forces

in an action between Jeannette Hausler, et. al.

PLAINTIFF and The Republic of Cuba, et. al.

DEFENDANT, in favor of said Plaintiffs

as appears by the record filed in the Clerk's Office of said District Court on the 24 day
of September in the year of 2008

and if sufficient personal property of the said judgment debtor cannot be found in your District, that then you cause the same to be made out of the real property belonging to such judgment debtor on the above-mentioned day, or at any time thereafter, in whose hands soever the same may be, and return this execution within sixty days after its receipt by you, to the Clerk of said District Court.

WITNESS, the Honorable Kimba M. Wood, Chief Judge of the United States District Court, for the Southern District of New York, at the City of New York, on the 20th day of August in the year of our Lord 2010, and of the Independence of the United States the two hundred twenty-seventh year.

(*) SEE GARNISHEES ATTACHED AS SCHEDULE E "A"

A CERTIFIED COPY
RUBY J. KRAJICK, CLERK

CLERK
BY Janeen Miles
Deputy Clerk

United States District Court
SOUTHERN DISTRICT OF NEW YORK
Jeannette Hauser, et. al.

-against-

The Republic of Cuba, et al

EXECUTION AGAINST PROPERTY

GREENBERG TRAURIG, LLP

Attorney for

Jeannette Hauser, et. al.

Borough of Manhattan
City of New York

To the Marshal:

You will levy and collect

ninety nine million plus accrued interest

0 _____ Dollars
and _____ cents.

with interest from the _____
day of _____, 2007

besides your fees, etc.

Attorney

SCHEDULE A

The foregoing writ is to be levied in accordance with section 201 of the Terrorism Risk Insurance Act of 2002, Pub. L. No. 107-297, 116 Stat. 2337, codified at 28 U.S.C. § 1610 note, against any property of the Republic of Cuba and/or its agencies or instrumentalities, *i.e.*, any property (whether real or personal, tangible or intangible, including but not limited to cash, coins, bullion, deposits, accounts, real property, instruments, securities, security entitlements, security accounts, equity interests, claims and contractual rights, and/or interests of any kind in the foregoing) held, maintained, or in the possession or control of the banks listed below* that is blocked pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)) and the Cuban Assets Control Regulations, 31 C.F.R. §§ 515.201 *et seq.*; and which is not held or maintained in the name of any individual Cuban person, whether living or dead, unless that person is either Fidel or Raul Castro.

The Amended Final Default Judgment Granting Full Faith and Credit to State Judgment, registered in this Court, is in the amount of \$400,000,000.00, comprised of \$100,000,000.00 in compensatory damages and \$300,000,000.00 in punitive damages, plus interest. One million dollars in compensatory damages has already been paid against the Judgment.

The amount to be levied and collected is limited to compensatory damages in the amount of \$99,000,000.00, plus accrued interest.

***Banks holding “blocked” property:**

- The Bank of New York Mellon Corporation, One Wall Street, 11th Floor, New York, NY 10286;
- Barclay's Bank PLC, 745 Seventh Avenue, New York, NY 10019;
- Credit Suisse Group AG, 12 East 49th Street, New York, NY 10017; and

- Lloyds TSB Bank, PLC, 1251 Avenue of Americas, 39th Floor, New York, NY 10020.

Exh. C

Greenberg Traurig

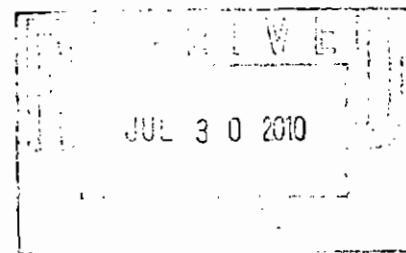
James W. Perkins, Esq.
(212) 801-3188
perkinsj@gtlaw.com

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8-2-10

July 29, 2010

BY HAND DELIVERY

Judge Victor Marrero
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Suite 660
New York, New York 10007



Re: *Hausler v. The Republic of Cuba, et al.*
09 Civ. 10289

Dear Judge Marrero:

We are counsel to Jeanette Hausler, the Petitioner in the above captioned proceeding, which has been referred to Your Honor for all purposes. We write the Court to request that it grant an additional extension of the levies of the two writs of execution that have been issued as part of the Petitioner's enforcement efforts.¹ Copies of the two writs of execution are attached hereto as Exhibits A and B, and are referred to herein as "Writ A" and "Writ B" respectively.

Extension of The Levy on Certain Financial Institutions

The first levy concerns service of Writ A on certain financial institutions, which levy occurred on or around March 27, 2009. On February 23, 2010, the Court granted the most recent extension of the levy until August 23, 2010. A copy of the Court's endorsed order granting the extension is attached hereto as Exhibit C.

¹ Under New York law (as applied through Federal Rule of Civil Procedure 69), a levy is valid for ninety days from the service of the execution, and will remain effective thereafter if the creditor has filed a turnover petition within such time. CPLR 5232(a). If no turnover petition is filed concerning the levy, the Court also has the power to extend the levy. *Id.*

Judge Victor Marrero
 July 29, 2010
 Page 2

As the Court is aware, Petitioner has filed three separate turnover petitions against JP Morgan Chase Bank, Citibank, UBS AG, Bank of America, and ABN AMRO (now Royal Bank of Scotland) concerning discrete accounts identified on schedules attached to the petitions. These petitions do not include relief for turnover of all of the accounts upon which the Marshal has levied. Petitioner intends to file an additional turnover petition or petitions, but is not yet in a position to do so, as we continue to work to identify the accounts for which turnover is appropriate. Thus, although Petitioner does not seek an extension of the levy concerning the accounts identified in the petition (as the filing of the turnover petition preserves the levy, see CPLR 5232(a)), she respectfully requests an extension of the levy on all other accounts held by the Banks listed in Writ A for an additional 180 days.

Extension of Levy on Debtors' Rights In Cubatabaco Litigation

The second levy concerns Writ B, which was issued to place a lien on debtors' rights to any recovery in the pending action, *Empresa Cubana Del Tabaco d/b/a Cubatabaco v. Culbro Corporation, et al.*, No. 97 Civ. 08399 (RWS) (hereinafter "Cubatabaco"). Between November 16, 2009 and December 17, 2009, the Marshal levied Writ B on the Clerk of the Court and counsel who have appeared in *Cubatabaco*. Since, to our knowledge, no judgment or settlement has yet been rendered in the *Cubatabaco* case, we respectfully request an extension of the *Cubatabaco* levies for 180 days.

Should the Court have any questions, I may be contacted at (212) 801-3188.

Respectfully submitted,



James W. Perkins

Enclosures

cc: James L. Kerr, Esq. (by e-mail; w/encl.)
 Mark P. Gimbel, Esq. (by e-mail; w/encl.)

<i>Request GRANTED, The time for Plaintiff's service of the two writs of execution referred to above as Writs A and B is extended for an additional 180 days.</i>	
SO ORDERED:	
7-30-10	
DATE	VICTOR MARRERO, U.S.D.J.



United States District Court
SOUTHERN DISTRICT OF NEW YORK

JUDGMENT NO. 08, 1700DOCKET NO. 18 MS 302

THE PRESIDENT OF THE UNITED STATES OF AMERICA
To the Marshal of the Southern District of New York, GREETING:

(*) YOU ARE COMMANDED, that of the goods and chattels of THE REPUBLIC OF CUBA (INCLUDING ITS AGENCIES AND INSTRUMENTALITIES), FIDEL CASTRO RUZ, RAUL CASTRO RUZ, THE CUBAN REVOLUTIONARY ARMED FORCES

in your district you cause to be made the sum of NINETY NINE MILLION PLUS ACCRUED INTEREST
INTEREST
dollars and 0 cents, (\$ 99,000,000 PLUS/

which lately in the United States District Court of the United States for the Southern District of New York, in the Second Circuit, JEANNETTE HAUSLER AS SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT OTIS FULLER, ET. AL., recovered against the said THE REPUBLIC OF CUBA (INCLUDING ITS AGENCIES AND INSTRUMENTALITIES), FIDEL CASTRO RUZ, RAUL CASTRO RUZ, THE CUBAN REVOLUTIONARY ARMED FORCES

in an action between JEANNETTE HAUSLER, ET. AL.

PLAINTIFF and THE REPUBLIC OF CUBA, ET. AL.

DEFENDANT, in favor of said PLAINTIFFS

as appears by the record filed in the Clerk's Office of said District Court on the 24 day
of SEPTEMBER, in the year of 2008

and if sufficient personal property of the said judgment debtor cannot be found in your District, that then you cause the same to be made out of the real property belonging to such judgment debtor on the above-mentioned day, or at any time thereafter, in whose hands soever the same may be, and return this execution within sixty days after its receipt by you, to the Clerk of said District Court.

WITNESS, the Honorable Kimba M. Wood, Chief Judge of the United States District Court, for the Southern District of New York, at the City of New York, on the 6th day of November, in the year of our Lord 2008, and of the Independence of the United States the two hundred twenty-seventh year.

(year)

J. MICHAEL McMAHON

(*) SEE SCHEDULE "A" ATTACHED

SDNY Web 7/2002

*By J. Michael McMahon
CLERK*

SCHEDULE A

The foregoing writ is to be levied in accordance with section 201 of the Terrorism Risk Insurance Act of 2002, Pub. L. No. 107-297, 116 Stat. 2337, codified at 28 U.S.C. § 1610 note, against any property of the Republic of Cuba and/or its agencies or instrumentalities, *i.e.*, any property (whether real or personal, tangible or intangible, including but not limited to cash, coins, bullion, deposits, accounts, real property, instruments, securities, security entitlements, security accounts, equity interests, claims and contractual rights, and/or interests of any kind in the foregoing) held, maintained, or in the possession or control of the banks listed below* that is blocked pursuant to section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)) and the Cuban Assets Control Regulations, 31 C.F.R. §§ 515.201 *et seq.*; and which is not held or maintained in the name of any individual Cuban person, whether living or dead, unless that person is either Fidel or Raul Castro.

The Amended Final Default Judgment Granting Full Faith and Credit to State Judgment, registered in this Court, is in the amount of \$400,000,000.00, comprised of \$100,000,000.00 in compensatory damages and \$300,000,000.00 in punitive damages, plus interest. One million dollars in compensatory damages has already been paid against the Judgment.

The amount to be levied and collected is limited to compensatory damages in the amount of \$99,000,000.00, plus accrued interest.

***Banks holding “blocked” property:**

- Bank of America, 9 West 57th Street, New York, New York, 10019
- Citibank, 399 Park Avenue, New York, New York, 10022
- HSBC Bank, 452 Fifth Avenue, New York, New York, 10018
- JP Morgan Chase, 270 Park Avenue, New York, New York, 10017

- Federal Reserve Bank of New York, 33 Liberty Street, New York, New York, 10045
- Keybank, 11 E 22nd St, New York, New York, 10010
- PNC Bank, 345 Park Avenue, Suite 1202, New York, New York, 10154
- US Bank, 461 Fifth Avenue, New York, New York, 10017
- Wachovia, 1133 Avenue of the Americas, New York, New York, 10036-6710
- Wells Fargo, 45 Broadway, Suite 1203, New York, New York, 10006-3798
- Abn Amro, 55 East 52nd Street, New York, New York, 10055
- Banco Bilbao Vizcaya Argentaria, 1345 Avenue Of The Americas, New York, New York 10105
- Banco Industrial de Venezuela, 900 Third Avenue, New York, New York, 10022-4794
- Deutsche Bank, 280 Park Avenue, New York, New York, 10017
- UBS Bank, 299 Park Avenue, New York, New York, 10017
- Bank of Montreal, 3 Times Square Plaza, New York, New York, 10036
- The Bank of Nova Scotia, 1 Liberty Plaza, 165 Broadway, New York, New York, 10006
- National Bank of Canada, 65 East 55th Street, New York, New York, 10019
- Royal Bank of Canada, 1 Liberty Plaza, New York, New York, 10006
- The Toronto Dominion Bank, 31 West 52nd Street, New York, New York, 10019
- Banco Espanol de Credito SA, 730 Fifth Avenue, New York, New York, 10019
- Banco Santander, SA, 45 East 53rd Street, New York, New York, 10022
- Banco Latinoamericano de Exportaciones, S.A., 600 Lexington Avenue, New York, New York, 10022

United States District Court
SOUTHERN DISTRICT OF NEW YORK
Jeanette Hauser, et. al.

-against-

The Republic of Cuba, et. al.

EXECUTION AGAINST PROPERTY

GREENBERG TRAURIG, LLP

Attorney for
Jeanette Hauser, et. al.

Borough of Manhattan
City of New York

To the Marshal:
You will levy and collect
ninety nine million plus accrued interest

_____ 0 _____ Dollars
and _____ 0 _____ cents,

with interest from the 19th
day of January 2007,
besides your fees, etc.

Attorney



United States District Court
SOUTHERN DISTRICT OF NEW YORK

JUDGMENT NO. 08, 1700

DOCKET NO. 18 MS 302

THE PRESIDENT OF THE UNITED STATES OF AMERICA
To the Marshal of the Southern District of New York, GREETING:

(*) YOU ARE COMMANDED, that of the goods and chattels of THE REPUBLIC OF CUBA (INCLUDING ITS AGENCIES AND INSTRUMENTALITIES), FIDEL CASTRO RUZ, RAUL CASTRO RUZ, THE CUBAN REVOLUTIONARY ARMED FORCES

in your district you cause to be made the sum of NINETY NINE MILLION PLUS ACCRUED INTEREST INTEREST
_____ dollars and 0 cents, (\$99,000,000 PLUS/

which lately in the United States District Court of the United States for the Southern District of New York, in the Second Circuit, JEANNETTE HAUSLER AS SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT OTIS FULLER, ET. AL., recovered against the said THE REPUBLIC OF CUBA (INCLUDING ITS AGENCIES AND INSTRUMENTALITIES), FIDEL CASTRO RUZ, RAUL CASTRO RUZ, THE CUBAN REVOLUTIONARY ARMED FORCES

in an action between JEANNETTE HAUSLER, ET. AL.

PLAINTIFF and THE REPUBLIC OF CUBA, ET. AL.

DEFENDANT, in favor of said PLAINTIFFS

as appears by the record filed in the Clerk's Office of said District Court on the 24 day
of SEPTEMBER, in the year of 2008

and if sufficient personal property of the said judgment debtor cannot be found in your District, that then you cause the same to be made out of the real property belonging to such judgment debtor on the above-mentioned day, or at any time thereafter, in whose hands soever the same may be, and return this execution within sixty days after its receipt by you, to the Clerk of said District Court.

WITNESS, the Honorable Kimba M. Wood, Chief Judge of the United States District Court, for the Southern District of New York, at the City of New York, on the 6th day of November in the year of our Lord 2009, and of the Independence of the United States the two hundred twenty-seventh year.

J. MICHAEL McMAHON

(*) SEE SCHEDULE "A" ATTACHED

SCHEDULE A

The foregoing writ is to be levied against plaintiffs' rights to receive the proceeds of any judgment or settlement, or sale or other transfer of claims in the action captioned *Empresa Cubana Del Tabaco d/b/a/ Cubatabaco v. Culbro Corporation, et al.*, No. 97 Civ. 08399 (RWS).

Please levy the writ upon the following:

Clerk of the Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Rabinowitz, Boudin, Standard, Krinsky & Lieberman PC
111 Broadway
11th Floor
New York , NY 10006-1901
Attn: Michael Krinsky, Esq.
(Counsel to Empresa Cubana Del Tabaco, d/b/a Cubatabaco)

DLA Piper US LLP (NY)
1251 Avenue of the Americas
New York , NY 10020
Attn: Andrew Lawrence Deutsch, Esq.
Attn: Joshua Samuel Sohn, Esq.
(Counsel to General Cigar Holdings, Inc.,
Counsel to General Cigar co. Inc., and
Counsel to Culbro Corporation)

Morgan & Finnegan, LLP
Three World Financial Center
New York, NY 10281
Attn: Janet Dore, Esq.
(Counsel to Culbro Corporation, and
General Cigar Co., Inc.)

Kostelanetz & Fink, L.L.P.
530 Fifth Avenue
New York, NY 10036
Caroline Rule, Esq.
(Counsel to Empresa Cubana Del Tabaco)

Dewey & LeBoeuf, L.L.P. (NYC)
1301 Avenue of the Americas
New York, NY 10019
Attn: Kevin Walsh, Esq.
(Counsel to Empresa Cubana Del Tabaco)

United States District Court
SOUTHERN DISTRICT OF NEW YORK
Jeanette Hausler, et. al

against:

The Republic of Cuba, et. al

EXECUTION AGAINST PROPERTY

GREENBERG TRAURIG, LLP

Attorney for
Jeanette Hausler, et. al.

Borough of Manhattan
City of New York

To the Marshal:

You will levy and collect

ninety nine million plus accrued interest

_____ 0 _____ Dollars
and _____ cents,

with interest from the 19th
January 2007
day of _____, _____
besides your fees, etc.

Attorney



Case 1:09-cv-10289-VM Document 57 Filed 08/02/10 Page 14 of 15

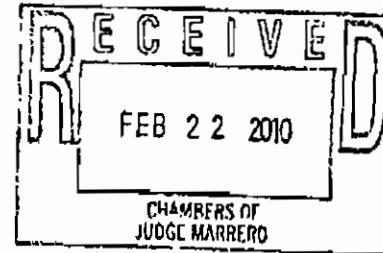
FEB-23-2010 16:55

JUDGE VICTOR MARRERO

212 805 6382 P.02

GT GreenbergTraurig

James W. Perkins, Esq.
(212) 801-3188
perkinsj@gtlaw.com



February 19, 2010

BY HAND DELIVERY

Judge Victor Marrero
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hausler v. The Republic of Cuba, et al.*
18 MS 302

Dear Judge Marrero:

We are counsel to Jeanette Hausler, the Petitioner in the above captioned miscellaneous proceeding to enforce a money judgment, which has been referred to Your Honor for all purposes. We write the Court to request that it grant an additional extension of the levies of two writs of execution that have been issued as part of the Petitioner's enforcement efforts.¹ Copies of the two writs of execution are attached hereto as Exhibits A and B, and are referred to herein as "Writ A" and "Writ B" respectively.

Extension of The Levy on Certain Financial Institutions

The first levy concerns service of Writ A on certain financial institutions, which levy occurred on or around March 27, 2009. On December 4, 2009, Judge Sidney H. Stein granted the most recent extension of the levy until March 3, 2010. A copy of Judge Stein's endorsed "so ordered" grant of an extension is attached hereto as Exhibit C.

¹ Under New York law (as applied through Federal Rule of Civil Procedure 69), a levy is valid for ninety days from the service of the execution. CPLR 5232(a). The Court, however, has the power to extend the levy. *Id.*

Case 1:09-cv-10289-VM Document 57 Filed 08/02/10 Page 15 of 15
 FEB-23-2010 16:55 JUDGE VICTOR MARRERO

212 805 6382 P.03

Judge Victor Marrero
 February 19, 2009
 Page 2

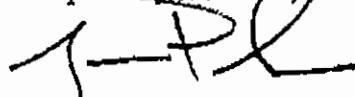
As discussed during the Court hearing of January 22, 2010, Ms. Hausler has filed a turnover petition against JP Morgan Chase Bank, Citibank, and UBS AG concerning discrete accounts identified on schedules attached to the petition, but she did not include all of the accounts upon which the Marshal has levied. Petitioner intends to file an additional turnover petition or petitions, but is not yet in a position to do so, as we are working to identify the accounts for which turnover is appropriate. Thus, although Petitioner does not seek an extension of the levy concerning the accounts identified in the petition (as the filing of the turnover petition preserves the levy, see CPLR 5232(a)), she respectfully requests an extension of the levy on all other accounts held by the Banks listed in Writ A for an additional 180 days.

Extension of Levy on Debtors' Rights In Cubatabaco Litigation

The second levy concerns Writ B, which was issued to place a lien on debtors' rights to any recovery in the pending action, *Empresa Cubana Del Tabaco d/b/a Cubatabaco v. Culbro Corporation, et al.*, No. 97 Civ. 08399 (RWS) (hereinafter "Cubatabaco"). Between November 16, 2009 and December 17, 2009, the Marshal levied Writ B on the Clerk of the Court and all counsel who have appeared in Cubatabaco. Copies of the process receipt and returns, are attached hereto as Exhibit D. Since, to our knowledge, no judgment or settlement has yet been rendered in the *Cubatabaco* case, we respectfully request an extension of the *Cubatabaco* levies for 180 days.

Should the Court have any questions, I may be contacted at (212) 801-3188.

Respectfully submitted,



James W. Perkins

Enclosures

cc: James L. Kerr, Esq. (by e-mail; w/encl.)
 Mark P. Gimbel, Esq. (by e-mail; w/encl.)

REAGDST GRANTED. The time for service of the two writs, referred to in Writs A and B in the letter and accompanying exhibits from plaintiff, is extended for 180 days on each writ.

SO ORDERED:

2-23-10

DATE

VICTOR MARRERO, U.S.D.J.